

BOARD OF SELECTMEN

Minutes of the Meeting of 25 January 2006 at 7:00 PM. The meeting took place in the Court Room, Town and County Building, Nantucket, MA 02554. Members of the Board present were Douglas Bennett, Brian Chadwick, Michael Glowacki, Bruce Watts and Whiting Willauer. Chairman Glowacki called the meeting to order at 7:15 PM following a meeting of the County Commissioners.

Announcement.s. Chairman Glowacki asked for and received the Board's consent to take the agenda as written, adding Selectmen's Reports after the Town Administrator's Report. He noted the focus of the evening as per the agenda and reviewed forward agendas with weekly designations for item categories.

Public Comment. None.

Approval of Minutes of 18 January 2006 at 7:00 PM and 28 December 2005 at 7:00 PM. The Board approved the minutes by unanimous consent.

Approval of Payroll Warrant for Week Ending 22 January 2006. The Board approved the payroll warrant by unanimous consent.

Approval of Treasury Warrant and Pending Contracts for Week Ending 25 January 2006. The Board approved the treasury warrant and the pending contracts by unanimous consent.

Town Administrator's Report: Finance Committee Meeting. Town Administrator Libby Gibson advised the Board about the Finance Committee's invitation to meet Tuesday, January 31, 2006 regarding review of sewer articles. A brief discussion followed and it was noted that no decisions need be made by the Board on that day.

Town Administrator's Report. Review of Preliminary 2006 Annual Town Meeting Warrant (continued from January 18, 2006 and January 11, 2006). Town Administrator Libby Gibson Reminded the Board of adoption of the warrant scheduled for February 8, 2006. She reviewed the additions to date, noting that language is to come for the Energy Committee's non-binding ballot question and that, of the ten Planning Board articles, two are under legal review and a "final decision (by the Planning Board) on remaining articles will occur on February 6, 2006."

Chairman Glowacki noted the Board deadline for the warrant and requested information be made available to the Board prior to meeting as per the operating protocol. Planning Director Andrew Vorce offered to provide the draft language that is pending Planning Board approval, which Chairman Glowacki welcomed for the Board's sake. Mr. Willauer asked about the "Adult Use" amendment and Mr. Vorce spoke to the need to assure enough viable sites. He recommended attendance at the February 23rd public hearing to occur if the Board votes to include the item on the warrant. Ms. Gibson indicated that the "Shellfish" article has been withdrawn as it is not needed. She noted where language has been updated for the "Wharves and Waterways" and "False Private Alarms" articles and also that the leash law article has been omitted. She added that a new article is pending regarding compromise agreements on unpaid balances. Town Counsel Paul DeRensis spoke in support of implementation made possible by state law.

Ms. Gibson introduced the "Sewer Act" article and asked Mr. DeRensis to speak to the language prepared for that home rule petition. He explained that the act is based on those found in other communities and reviewed the benefits as attached. Mr. Watts asked about the amount of additional work needed, which Mr. DeRensis agreed would be forthcoming on the Board's request. Discussion followed on the Board's method of taking information under advisement and the need to respond to Mr. DeRensis in a timely manner. Mr. Bennett asked about collection methods and Mr. DeRensis answered that options would come from other approved acts; he added that the Board would be able to choose from a variety of language and that the public would need to review at Town Meeting.

Ms. Gibson noted home rule petitions previously submitted and introduced Legislative Liaison Tim Madden who spoke on the re-submission of previous home rule petitions. He reviewed the status of each petition noting the original Land Bank petition language should be updated to reflect the recently approved language by the Board. Regarding the limitation of motor vehicles, he noted that the Board may want to consider if it wants to support articles originally submitted by citizens at Town Meetings. He recommended that a re-submittal of this article would need specific ideas to go forward. Discussion followed on the need to re-submit petitions to keep them active and Mr. Madden gave an overview of the bill approval process, noting a bill dies at the end of every two-year session.

Mr. Madden spoke in support of the "Community Housing Bank" petition. Discussion followed about the similar petition put forth by Martha's Vineyard. Mr. Madden noted the "Speed Limit" petition is in committee and added that Mass Highway takes a different view of the set speeds, referencing the mechanism in place for changes to speed limits. He continued with the "Nantucket Housing Authority" petition and the one for "Transfer Fee for Wastewater Improvements." Discussion followed on late file items that come in mid-session to the legislature and on the relative numbers of submissions of total petitions by all towns. Mr. Madden praised the Board and Town Administration staff for help and responsiveness to his requests over the past few months.

Ms. Gibson noted the binding question submitted for the Municipal Electrical Aggregate was originally submitted as a non-binding ballot question. Mr. DeRensis made the distinction between binding and non-binding articles, noting non-binding articles should not go to Town Meeting but the requesters should go to Board of Selectmen to request it. Mr. DeRensis explained what an "aggregate" is. He noted a plan would require state approval but that all residents would be able to opt out of the plan. He agreed to leave a copy for review by the Board.

Ms. Gibson noted that the remainder of articles have been viewed by the Board. Chairman Glowacki sought Board direction on making some decisions next week to free up later agendas, which the Board agreed to consider. Discussion followed on the Tryworks long-term lease designation and the need for a deed restriction required by the Community Preservation Committee. Ms. Gibson mentioned that this is not a Town document preparation item, but that assistance would be given as possible. Chairman Glowacki redirected the focus of the Board, reminding them of the agenda before them and the articles under consideration. He made the

distinction that other citizen articles may more properly be addressed at Town Meeting. Ms. Gibson noted that another update to the warrant would be presented next week.

Selectmen's Reports/Comment. Chairman Glowacki brought to the Board's attention its goal adopted in May 2005 to review committee management. He referenced the recent committee appointment of John McLaughlin to the Conservation Commission and noted the charge by the state to take the overall makeup of committees into consideration when making appointments. He further noted the Board's dedication to maintaining the diversity of boards and committees and reviewed the last three appointments to the Conservation Commission in light of that aim. He requested that the Board address the goal to review committees in future agendas. Mr. Chadwick spoke in support of reviews before new appointments are made this June. Mr. Willauer shared his view of a need to determine "methodology" for seeking applicants with the "objective to improve the process so good people apply." Chairman Glowacki noted the possibility of sending out committee questionnaires and seeking information for a March meeting, asking for thoughts to come at the next meeting.

At 8:40 PM, Chairman Glowacki polled the Board and Mr. Bennett, Mr. Chadwick, Mr. Watts, Mr. Willauer and Chairman Glowacki voted unanimously to adjourn to executive session not to return to open session for the purpose of approving minutes, reviewing non-union contract negotiations and for a matter of litigation.

Approved the 1st day of February 2006.